

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JAMES EDWARD ROSE, JR.,
Plaintiff,

v.

THE BANK OF NEW YORK
MELLON, *et al.*,
Defendants.

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CIVIL ACTION NO. 18-CV-2530

ORDER

AND NOW, this 22nd day of August, 2018, upon consideration of Plaintiff James Edward Rose, Jr.'s "Motion to Submit Documented Evidence to Support the Plaintiff's Claims Against the Defendants" (ECF No. 10), it is **ORDERED** that:

1. The Court **DEEMS** the Motion to be Rose's Amended Complaint.
2. The Clerk of Court is **DIRECTED** to terminate Milstead and Associates as a Defendant and to add the following entities and individuals to the docket as Defendants: (1) Apex Abstract; (2) Bankers Trust Company of California; (3) Bank of America; (4) Delta Funding Corporation; (5) Robert Wilson; (6) New Century Mortgage Corporation; and (7) "MERS" Mortgage Electronic Registration Systems, Inc.
3. The Amended Complaint is **DISMISSED** for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for the reasons set forth in the Court's Memorandum. Any federal claims are **DISMISSED with prejudice**. To the extent that the Amended Complaint asserts claims pursuant to state law, those claims are **DISMISSED without prejudice** to Rose's right to reassert them in state court. Rose may not file a second amended complaint in this matter.

4. The Clerk of Court shall **CLOSE** this case.

BY THE COURT:

/s/ Jeffrey L. Schmehl

JEFFREY L. SCHMEHL, J.